



26/11/07

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HIGH COURT OF CHHATTISGARH, BILASPUR

W.P. (S) No. 4471 of 2007

PETITIONER

Delay Ram Sahu S/o Shri Janak
Ram Sahu, aged about 36 years,
Village Rekshe, P.O. Rekshe,
Tahsil Kawardha, Distt.-
Kabirdham (C.G.)

Versus

RESPONDENTS

- 1 State of Chhattisgarh Through :
Director (Panchayat), Raipur
(C.G.)
- 2 Up Sanchalak, Panchayat Avam
Samaj Kalyan, Distt. - Kabirdham
(C.G.)
- 3 Chief Executive Officer, Janpad
Panchayat, Sahashpur Lohara,
Distt.- Kabirdham (C.G.)

**WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION
OF INDIA**

Appearance:

Shri B.K. Chakrabarty, counsel for the petitioner.

Shri Pradeep Singh, Panel Lawyer, for the State on advance
copy.

ORAL ORDER
(21.11.2007)

SUNIL KUMAR SINHA, J.

Heard on admission.

Learned counsel for the petitioner submits that earlier the petitioner was working as a Panchayat Karmi but he was suspended vide order dated 2.8.2004. Against the said order, the petitioner had filed an appeal before the Director (Panchayat) and the said order dated 2.8.2004 was stayed by the Director (Panchayat) vide order 26.8.2004. Later on, the petitioner was appointed to the post of Shiksha Karmi and the appeal filed by the petitioner was disposed of on 27.10.2005. He also submits that thereafter, the petitioner filed an application for payment of his honorarium from the period when he was working as Panchayat Karmi to the period of his appointment to the post of Shiksha Karmi but the aforesaid honorarium has not been paid to him. He further submits that since the order of suspension was stayed by the Director (Panchayat), therefore, the petitioner is entitled for honorarium of the said period.

I have heard the learned counsel for the petitioner as also the learned counsel for the State.



After hearing learned counsel for the parties, I am of the opinion that this petition may be disposed of with a direction to the petitioner to file a representation before the concerned Collector and the concerned Collector is directed to dispose of the same at the earliest in accordance with law.

Accordingly, it is directed that if so advised, the petitioner may file a representation before the concerned Collector along with copy of this order and copy of writ petition raising his grievances and if such a representation is filed within a period of 3 weeks from today, the concerned Collector shall dispose of the same at the earliest in accordance with law and the rules prevailing for payment of honorarium of Panchayat Karmi.

With the aforesaid observations, the petition stands finally disposed of.

Sd/-
Sunil Kumar Sinha
Judge

vatti